

Doc Code: AP.PRE.REQ

PTO/SB/33 (07-05)

Approved for use through 04/04/2008. OMB 0651-00xx

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PRE-APPEAL BRIEF REQUEST FOR REVIEW		Docket Number (Optional)
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _____ Signature _____ Typed or printed name _____	Application Number 09/889,232	Filed November 28, 2001
	First Named Inventor Heribert Lindlar et al.	
	Art Unit 2642	Examiner William J. Deane Jr.
Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.		
This request is being filed with a notice of appeal.		
The review is requested for the reason(s) stated on the attached sheet(s). Note: No more than five (5) pages may be provided.		
I am the <input type="checkbox"/> applicant/inventor. <input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96) <input checked="" type="checkbox"/> attorney or agent of record. Registration number <u>42,402</u>		 Signature Steve S. Chang Typed or printed name <u>202-824-3000</u> Telephone number <u>June 1, 2006</u> Date
<input type="checkbox"/> attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34 _____		
NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*		
<input checked="" type="checkbox"/> *Total of <u>4</u> forms are submitted.		

This collection of information is required by 35 U.S.C. 132. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the Application of:	Atty. Docket No.:	006918.00010
<b>Heribert Lindlar, et al.</b>		
Serial No.:	Group Art Unit:	2642
Filed:	Examiner:	William J. Deane Jr.
For:	Confirmation No.:	9818

**APPLICANTS' STATEMENT OF REASONS IN SUPPORT OF  
REQUEST FOR PRE-APPEAL REVIEW**

U.S. Patent and Trademark Office  
**Mail Stop AF**  
Customer Service Window  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

Sir:

In response to the final Office Action mailed December 1, 2005, Applicants respectfully submit the present reasons in support of the enclosed request for pre-appeal review.

**I. The Pending Claims 1-26 Are Not Indefinite**

The sole rejection in the final Office Action is under 35 U.S.C. 112, second paragraph, alleging that all of claims 1-26 are indefinite because they use the term “connectors.” The application generally relates to electronic circuitry, and the specification describes a number of “pins” that “connect” various circuit elements. For example, the specification describes pins 20, 22, 24, 40, 42 and 44 (among others), and states that “[t]he pins of the interface 10 in the BB circuitry connect or are connectable to corresponding pins of the interface 10 of the RF circuitry 200.” Specification, p. 4, lines 3-4 (see also Figs. 1a, 1b). Applicants submit that no one of ordinary skill in the art would have trouble understanding what the claimed “connectors,” “first connector” and “second connector” are, and that the claims are not indefinite.

Applicants' undersigned representative engaged in a telephone interview with Examiner Deane on January 20, 2006, to explain that the claimed connectors are supported at least by the specification's description of the connecting pins. Agreement was reached that the rejection would be withdrawn if the specification was amended to note that the "connectors" can be "pins."

Applicants submitted the Amendment After Final on February 1, 2006, making no changes to the claims, and only amending one line in the specification to note that connectors may be pins in some embodiments. The Examiner issued an Advisory Action on March 8, 2006, indicating that the amendment would not be entered because it would require further consideration.

## **II. Conclusion**

For at least the reasons set forth above, Applicants respectfully submit that the pending claims are not indefinite, and that this rejection is in error.

Respectfully Submitted,

By:



Steve S. Chang

Registration No. 42,402

BANNER & WITCOFF, LTD.  
1001 G Street, N.W., 11th Floor  
Washington, D.C. 20001  
(202) 824-3000

Dated: June 1, 2006